

Testimony of Rep Collene Lamonte on HB 5189 "Jessica's Law"
November 12, 2014

Mr. Chair and Colleagues,

Thank you very much for allowing this legislation to be more fully examined by the committee.

I will be brief because I know we only have a narrow window of time, but, more importantly, because the real story of why this bill is needed will be told by the people here to testify today.

HB 5189, a bipartisan bill, is narrowly tailored to provide protection for late night gas station/convenience store employees as well as provide law enforcement agencies with visual evidence to use when investigating crimes that occur at these locations.

The genesis of this bill comes from the disappearance and abduction of Jessica Heeringa from the gas station/convenience store she worked at in Norton Shores on April 26, 2013—more than a year and a half ago.

Jessica has not been seen or heard from since.

You will hear more details about her disappearance from my local law enforcement officials and from Jessica's mother shortly.

Three states have adopted similar legislation: Florida, West Virginia, and New Mexico. In addition, Indiana's legislature recently considered legislation that would require convenience stores to install cameras and the State of New York is currently pursuing a state income tax credit for the purchase and installation of security cameras at convenience stores.

Law enforcement officials and prosecutors I have spoken with confirm that having security cameras at such businesses late at night would be beneficial to any criminal investigation and prosecution they might have to perform after a crime has been committed.

Businesses I have spoken with say that the video surveillance systems can be depreciated like other business equipment and that a reduction in property insurance costs may result because of the anti-theft value of the systems.

This is simply common sense.

HB 5189, also known as “The Jessica Heeringa Bill” would:

- Require that convenience stores that sell gasoline—and that are open for business past 11PM—to either have a video surveillance system OR have two people continuously on duty on the premises from 11PM until closing or 5AM, whichever occurs first.
- "Convenience store" refers to any business that is primarily engaged in the retail sale of convenience goods and gasoline, and employs one or more employees during its normal operating hours.

This is about the safety of workers and giving tools to our law enforcement personnel to solve crimes.

I believe that the vast majority of gas station/convenience store owners are highly responsible and *already comply* with the intent of this bill. They do this if, for no other reason, than to protect their employees and be able to discourage theft at their stores.

But, as in this case, there are some businesses that do not consider the safety of their own employees, or good business practice as part of their own operations.

And that is why this bill is necessary.

You may hear that the cost video surveillance system is in the thousands of dollars and would place an undue burden on businesses.

In the documents before you are copies of online ads from Costco and Best Buy showing the costs can be as little as a couple hundred dollars.

Please ask yourself -- as I know the family of Jessica Heeringa has for the last year and a half -- is a person's life is worth more than a couple hundred dollars? Shouldn't workers have a *reasonable* expectation of feeling safe within their own working environment?

Again, thank you for your kind consideration of this bill.

I will now turn it over to DJ Hilson, the Muskegon County Prosecutor.

